

# **EXHIBIT 1**

Attachment A

October 31, 2005

SuperbRewards, YourSmartRewards, etc.  
123 N. Congress Ave. #351  
Boynton Beach, FL 33426  
*Sent via USPS certified mail*

RE: Unlawful Email Advertising – Violations of California Civil Code § 1770

To Whom It May Concern:

You, your colleagues, and/or your company (collectively, "you") are causing email advertising to be sent to residents of California. Like other California residents, I am protected from such marketing assaults by California's Consumers Legal Remedies Act. Your email messages to me were misleading and unlawful for a number of reasons, not least because of false claims that I requested the email advertising. The email is therefore misleading in violation of California Civil Code § 1770(a)(3). I have reason to believe that you sent or are responsible for the sending of similar email to many other residents of California.

You may remedy the problem of the unlawful advertising in violation of Civil Code § 1770 through a consent judgment providing equitable relief pursuant to California Business and Professions Code § 17500, and payment to me of \$1,000. (Note, this does not relieve you of other liability you may have under the law.) I am open to hearing your suggestions if you have another idea about what an appropriate remedy might be, but if we cannot agree on an appropriate remedy, I reserve my right to seek damages of \$1,000 per email message and any other relief allowed under the law.

Please let me know within the next thirty days whether you will agree to remedy the unlawful conduct.

Thank you for your prompt attention to this request.

Sincerely,



Daniel L. Balsam